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# Message Text

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ACTION L-03

INFO OCT-01 EUR-12 ISO-00 CPR-01 SY-05 USSS-00 SS-15 SP-02
A-01 MCT-01 CIAE-00 INR-07 NSAE-00 IO-13 JUSE-00 H-01
/062 W
----------291400Z 020062 /54
R 291224Z DEC 76
FM AMEMBASSY PARIS
TO SECSTATE WASHDC 8324
INFO AMEMBASSY BONN
AMEMBASSY BERLIN
AMEMBASSY MOSCOW
USMISSION USBERLIN
USMISSION NATO

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E.O. 11652: N/A
TAGS: FR, PINS
SUBJECT: ACT FOR PREVENTION AND PUNISHMENT OF CRIMES AGAINST INTERNATIONALLY PROTECTED PERSONS (H.R. 15552) AND INTERNATIONAL CONVENTIONS ON THIS SUBJECT

REF: STATE 265550 AND PREVIOUS

1. FOLLOWING IS UNOFFICIAL EMBASSY TRANSLATION OF NOTE RECEIVED FROM FRENCH MINISTRY OF FOREIGN AFFAIRS IN REPLY TO OUR NOTE OF NOVEMBER 12, 1976 ON THE ABOVE SUBJECT.

QUOTE - THE MINISTRY OF FOREIGN AFFAIRS PRESENTS ITS COMPLIMENTS TO THE EMBASSY OF THE UNITED STATES OF AMERICA AND, REFERRING TO ITS AIDE MEMOIRE OF NOVEMBER 12, 1976, BY WHICH THIS EMBASSY QUESTIONED THE FRENCH GOVERNMENT ON ITS INTENTIONS CONCERNING THE CONVENTION ON THE PREVEN-
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TION AND PUNISHMENT OF CRIMES AGAINST INTERNATIONALLY PROTECTED PERSONS, INCLUDING DIPLOMATIC AGENTS, ADOPTED BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS ON DECEMBER 14, 1973 HAS THE HONOR TO CONVEY THE FOLLOWING CONSIDERATIONS:

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THE FRENCH GOVERNMENT HAS HAD THE OCCASION, DURING THE DISCUSSION OF THE PROJECT ESTABLISHED BY THE INTERNATIONAL LAW COMMITTEE OF THE UNITED NATIONS, TO MAKE KNOWN THE OBSERVATIONS THAT THIS PROJECT ELICITED ON ITS PART, MOST NOTABLY ON THE TECHNICAL SIDE.

PUTTING THESE OBSERVATIONS ASIDE, THE FRENCH GOVERNMENT CAN ONLY STATE THAT RESOLUTION 3166 (XXXVIII), BY WHICH THE GENERAL ASSEMBLY OF THE UNITED NATIONS ADOPTED THE CONVENTION, SETS FORTH THAT "THE DISPOSITIONS" OF THIS RESOLUTION "WILL NOT IN ANY CASE BEAR PREJUDICE ON THE EXERCISE OF THE LEGITIMATE RIGHT OF SELF DETERMINATION AND INDEPENDENCE - IN CONFORMITY WITH THE GOALS AND PRINCIPLES OF THE CHARTER OF THE UNITED NATIONS AND THE DECLARATION ON THE PRINCIPLES ON INTERNATIONAL LAW CONCERNING FRIENDLY RELATIONS AND COOPERATION BETWEEN STATES CONFORMING TO THE UNITED NATIONS - BY PEOPLES STRUGGLING AGAINST COLONIALISM, FOREIGN DOMINATION, FOREIGN OCCUPATION, RACIAL DISCRIMINATION AND APARTHEID."

THE FRENCH GOVERNMENT BELIEVES THAT THE INTERPRETATION THUS GIVEN TO THE CONVENTION EMPTIES IT OF ITS MEANING AND MAY EVEN LEAD TO A LEGITIMIZATION OF ACTS OF VIOLENCE COMMITTED BY CERTAIN MOVEMENTS OPPOSING THE VERY PERSONS THAT THE TEXT MEANS TO PROTECT.

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UNDER THESE CONDITIONS THE FRENCH GOVERNMENT DOES NOT AT THIS TIME ENVISAGE BECOMING PARTY TO THE CONVENTION IN QUESTION. END QUOTE.

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# Message Attributes

**Automatic Decaptioning:** X
**Capture Date:** 01 JAN 1994
**Channel Indicators:** n/a
**Current Classification:** UNCLASSIFIED
**Concepts:** TEXT, LAW, CRIMES, DIPLOMATIC NOTES, DIPLOMATIC PERSONNEL
**Control Number:** n/a
**Copy:** SINGLE
**Draft Date:** 29 DEC 1976
**Decaption Date:** 01 JAN 1960
**Decaption Note:**
**Disposition Action:** RELEASED
**Disposition Approved on Date:**
**Disposition Authority:** BoyleJA
**Disposition Case Number:** n/a
**Disposition Comment:** 25 YEAR REVIEW
**Disposition Date:** 28 MAY 2004
**Disposition Event:**
**Disposition History:** n/a
**Disposition Reason:**
**Disposition Remarks:**
**Document Number:** 1976PARIS38180
**Document Source:** CORE
**Document Unique ID:** 00
**Drafter:** n/a
**Enclosure:** n/a
**Executive Order:** N/A
**Errors:** N/A
**Film Number:** D760474-1264
**From:** PARIS
**Handling Restrictions:** n/a
**Image Path:**
**ISecure:** 1
**Legacy Key:** link1976/newtext/t1976127/aaaaafjn.tel
**Line Count:** 102
**Locator:** TEXT ON-LINE, ON MICROFILM
**Office:** ACTION L
**Original Classification:** LIMITED OFFICIAL USE
**Original Handling Restrictions:** n/a
**Original Previous Classification:** n/a
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**Page Count:** 2
**Previous Channel Indicators:** n/a
**Previous Classification:** LIMITED OFFICIAL USE
**Previous Handling Restrictions:** n/a
**Reference:** 77 STATE 265550
**Review Action:** RELEASED, APPROVED
**Review Authority:** BoyleJA
**Review Comment:** n/a
**Review Content Flags:**
**Review Date:** 26 APR 2004
**Review Event:**
**Review Exemptions:** n/a
**Review History:** RELEASED <26 APR 2004 by BoyleJA>; RELEASED <26 APR 2004 by hartledg>; APPROVED <19 AUG 2004 by BoyleJA>
**Review Markings:**

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US Department of State
EO Systematic Review
04 MAY 2006

**Review Media Identifier:**
**Review Referrals:** n/a
**Review Release Date:** n/a
**Review Release Event:** n/a
**Review Transfer Date:**
**Review Withdrawn Fields:** n/a
**Secure:** OPEN
**Status:** NATIVE
**Subject:** ACT FOR PREVENTION AND PUNISHMENT OF CRIMES AGAINST INTERNATIONALLY PROTECTED PERSONS (H.R. 15552) AND INTERNATIONAL CONVENTIONS ON THIS SUBJECT
**TAGS:** PINS, FR, US
**To:** STATE
**Type:** TE
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

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